INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

November 5, 2015

VIA ELECTRONIC MAIL

Dear NPDES General Permittee:

As you should be aware by now, IDEM has been working on transitioning several of the existing NPDES general permits-by-rule (under Title 327 Article 15 of the Indiana Administrative Code) to an administrative format. This change is occurring with rulemaking found at LSA Document #10-659, which is intended to correct deficiencies in Indiana's general permit program as identified by the U.S. Environmental Protection Agency. IDEM public noticed draft versions of the following 5 NPDES general permits on December 15, 2014:

- ING080000 Groundwater Petroleum Remediation Systems
- ING670000 Hydrostatic Testing of Commercial Pipelines
- ING250000 Once-Through Non-Contact Cooling Water
- ING340000 Petroleum Products Terminals
- ING490000 Sand, Gravel, Dimension Stone, and Crushed Stone Operations

The purpose of this letter is to notify you of the status of the rule amendments to 327 IAC 5 and 327 IAC 15 which are resulting in the conversion of the initial five (5) general permits-by-rule to administrative general permits. The rule amendments were final adopted by the Environmental Rules Board on July 8, 2015. The final rule amendments and all of the supporting documentation were then routed to the Attorney General's office and the Governor's office for their review and approval. Per Indiana statutes, the rule amendments will become effective 30 days from the date on which they were filed with the Legislative Services Agency (which occurred on October 9, 2015). So the new rule amendments become effective on Sunday, November 8, 2015. The rule amendments were published in the Indiana Register on November 4, 2015.

IDEM is issuing the final NPDES general permits today, with an effective date of November 8, 2015 (which is the same date as the effective date of the rule amendments) to ensure the continuation of the general permit coverage without any gaps. This is an informational letter to advise you how the Office of Water Quality plans to implement the transition of the general permitting program for the five categories of NPDES general permits which are being converted from rule format to administrative format.

Existing General Permit Holders

Please rest assured that all existing general permit holders are still covered by the general permits-by-rule, even after they are repealed, subject to several conditions.

This "bridge" is allowed by statute at IC 13-18-3-15(c) which states "After 327 IAC 5 and 327 IAC 15 are amended under *[IC 13-18-3-15(a)],* the terms and conditions of an NPDES general permit under that article as they existed before the amendment remain in effect and are binding on any person regulated under the NPDES general permit until the person submits a notice of intent to be covered by an NPDES general permit developed and issued under *[IC13-18-3-15(b)].*

IC 13-18-3-15(d) provides that any person regulated under an NPDES general permit on the effective date of the rule amendment must submit a Notice of Intent (NOI) not later than ninety (90) days after the department makes the NOI form available to the person. Otherwise the person must apply for an individual NPDES permit. *In either case,* the terms and conditions of the former general permit-by-rule will continue to be in effect until IDEM takes a final action with regard to either the NOI or the individual application.

Due to the fact that we have nearly 270 existing general permittees who are affected by this transition, we have developed an implementation plan which schedules when we will officially notify each permittee or group of permittees of the need to file the new NOI. We plan to spread this transition out over several months. Therefore, unless you have a new site that needs general permit coverage, you do not need to take action with regard to filing an NOI or an individual application at this time. What you do need to do is to review the final issued NPDES general permit to ensure that your facility is still eligible for general permit coverage. If you have any questions or are in doubt, please feel free to contact our office. We will be happy to discuss your particular situation with you either on the telephone or in person. We will work with you to try to make this transition as smooth as possible.

Today we are sending you copies of the final NPDES general permit, the fact sheet, responses to comments, and public notice of the final issuance with appeal information. Please contact us if you need to obtain a copy of the final version of the new NOI form for any of the general permits. We are not sending the NOI form to you at this time lest it be mistakenly perceived as the official notification as mentioned above and as set forth in IC 13-18-3-15(d).

One question which has already been asked pertains to those entities who have recently filed NOIs for general permit coverage. While the statute (IC 13-18-3-15) and the new general permit both require any person who desires coverage under the administrative general permit to file an NOI after the effective date of the general permit, the permitting authority does have the ability to waive some of the NOI requirements. Therefore, IDEM will waive the following items for any facility for which a complete new or renewal NOI was filed with IDEM after January 1, 2015:

1. The proof of publication in a local newspaper that the person intends to comply with the NPDES general permit.
2. The $50 application fee (if a fee was remitted with the previous 2015 submittal).

New (Unpermitted) Facilities

A person representing any new (unpermitted) facility must utilize the new NOI form to obtain coverage under the new administrative NPDES general permit. Please contact our office to obtain the NOI form.

Appeal Information

Any party affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication within eighteen (18) days after the date of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this revocation, or otherwise entitled to review by law. This petition constitutes a request for an adjudicatory hearing.

In order to be timely filed the petition for review must be either: (1) received by the Office of Environmental Adjudication no later than the deadline date; (2) postmarked no later than the deadline date; or (3) received by private carrier by the deadline date as shown by receipt issued by the carrier.

Additional information concerning appeal procedures can be found in the attached document.

Questions?

If you have any questions about the new administrative general permits or the NPDES rule amendments, please feel free to contact Mrs. Catherine Hess of my staff by calling (317) 232-8704 [or toll-free within the state of Indiana at (800) 451-6027, ext. 28704] or via email at owqwwper@idem.in.gov.

Sincerely,

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

APPEAL PROCEDURES

The final NPDES general permits and related documents are posted on IDEM's web site at http://www.in.gov/idem/cleanwater/2480.htm. The final NPDES general permits are available for review at the IDEM Central Office, Indiana Government Center North, Room 1255, 100 N. Senate Avenue, Indianapolis, Indiana from 9:00 a.m. to 4:00 p.m., M - F, excluding state holidays (copies 10¢ per page). Copies of the final permit documents are also available at the local health departments and at IDEM's Regional Offices. The documents are also available via email request. See these sites for information concerning your rights and responsibilities: http://www.IN.gov/idem/5474.htm and http://www.in.gov/idem/5903.htm. Please tell others whom you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication (OEA) within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law. The Petition for Administrative Review must be received by the OEA within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

1. state the name and address of the person making the request;
2. identify the interest of the person making the request;
3. identify any persons represented by the person making the request;
4. state specifically the reasons for the request;
5. state specifically the issues proposed for consideration at the hearing; and
6. identify the Final Permit terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing these NPDES Permit(s).

If the person filing the Petition for Administrative Review desires any part of any final NPDES General Permit to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to this address:

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis, IN 46204

Indiana Department of Environmental Management
Office of Water Quality, Permits Branch
100 North Senate Avenue, Mail Code 65-42
Indianapolis, Indiana 46204
(317) 232-8670
Toll Free (800) 451-6027
www.idem.IN.gov

In compliance with the provisions of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq., the "Act"), Title 13 of the Indiana Code, Articles 5 and 15 of Title 327 the Indiana Administrative Code, and regulations adopted by the Environmental Rules Board, the Indiana Department of Environmental Management (IDEM) is issuing this NPDES general permit to regulate discharges of wastewater from Petroleum Products Terminals into surface waters of the State of Indiana.

This permit is issued on: **November 5, 2015**

This permit is effective on: **November 8, 2015**

This permit expires on: **October 31, 2020**

In accordance with IC 13-15-3-6, 40 CFR 122.6, and 123.25, the conditions of the permit remain fully effective and enforceable after the expiration date of the permit if the permittee has submitted a timely NOI application for a new permit and IDEM has not, through no fault of the person, issued a new permit on or before the expiration date of this permit.

Paul Higginbotham
Deputy Assistant Commissioner
Office of Water Quality

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GENERAL PERMIT COVERAGE AND EFFLUENT LIMITATIONS

1.0 GENERAL PERMIT COVERAGE

1.1 Permit Area

This petroleum products terminals general permit covers all areas of the State of Indiana.

1.2 Discharges Authorized/Covered by this Permit

"Petroleum products terminals" means an area where petroleum products are supplied by pipeline or barge; and where petroleum products are stored in above-ground tanks, or are transferred to trucks for transport to other locations, or both. This general permit authorizes new and existing discharges described as follows from petroleum products terminals to surface waters of the State of Indiana:

a) discharges of hydrostatic test waters from storage tanks and on-site pipelines which have been used for the storage and/or transfer or conveyance of crude oil or liquid petroleum hydrocarbons;

b) discharges of stormwater runoff specifically from the diked containment areas of these storage tanks; and

c) discharges of tank bottom water from these storage tanks. However, this permit does not authorize the discharge of any accumulated solids or sludges from the tank bottoms. The permittee is required to properly remove and dispose of such solids in accordance with 327 IAC 5-5-2.

d) *discharges from each of the following may also be allowed through an outfall approved for coverage under this permit, provided they have not been identified by the applicant or by IDEM as a significant contributor of pollutants to a water of the state:*

1. *fire hydrant flushings;*
2. *potable water sources, including waterline flushings;*
3. *irrigation drainage;*
4. *landscape watering;*
5. *routine external building washdowns;*
6. *pavement washdowns where spills or leaks of hazardous materials have been removed;*
7. *uncontaminated ground water or spring water;*
8. *foundations or footing drains where flows are not contaminated with process materials;*
9. *uncontaminated air conditioning or compressor condensate;*
10. *vehicle washwaters where uncontaminated water is utilized; and*
11. *run-off from the use of dust suppressants.*

In order to be authorized under this general permit, the permittee must provide information about these allowable non-storm water discharges in the NOI letter. Additionally if any of these discharges is determined to be a significant contributor of pollutants to a water of the state, an individual NPDES permit may be required for the discharge.

These discharges will henceforth in this permit be described as petroleum products terminals wastewater.

This general permit serves as a National Pollutant Discharge Elimination System (NPDES) general permit and is issued to be effective for a term of five (5) years. In order to obtain authorization to discharge under this permit, a person must submit an NOI pursuant to Section 4.0. The Commissioner may grant or deny coverage under this permit or require an application for an individual permit.

Except as provided in Section 1.3, when a Notice of Intent (NOI) is submitted as set forth in Section 4.0 below, a facility is permitted to discharge petroleum products terminals wastewater to surface waters of the state in accordance with the terms of this general permit. This authorization to discharge shall become effective upon receipt of notification of inclusion/coverage by the Commissioner. Any discharges of petroleum products terminals wastewater not permitted under this general permit or by an individual permit are unlawful.

Permittees who are granted general permit coverage will remain covered under this permit until the earliest of the following:

a) The permittee receives authorization for coverage under a reissued or replacement version of this permit; or

b) the permittee receives written confirmation from IDEM that the Notice of Termination has been approved (see Section 5.0); or

c) Issuance or modification of an individual permit for the discharges covered by this general permit; or

d) A final decision by IDEM either to revoke or to not reissue this general permit, at which time IDEM will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will terminate at the end of this identified time period.

1.3 Eligibility

a) This general permit covers discharges comprised solely of wastewater from petroleum products terminals (as authorized in Section 1.2) to surface waters of the state, except as limited in paragraph b below.

b) The following discharges from petroleum products terminals are not authorized by this permit:

1) direct discharges consisting of more than storm water only into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d). A direct discharge to an ONRW or OSRW that consists only of storm water associated with construction activity, storm water associated with industrial activity, or storm water from a municipal separate storm sewer system may still be permitted under a general permit when the Commissioner determines the discharge will not significantly lower the water quality as defined under 327 IAC 2-1.3-2(50) of such a water downstream of that discharge;

2) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;

3) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted; and

4) storm water discharges associated with construction activity.

1.4 Fees (Application and Annual Maintenance)

Any person who seeks coverage under this general permit is required to remit an application fee with the Notice of Intent (NOI) in accordance with IC 13-18-20-12. This fee is required for a new NOI, renewals, and modification requests. Persons covered by this general permit are also required by IC 13-18-20 to remit annual operating fees to IDEM for as long as coverage continues. Coverage under this general permit may be revoked for nonpayment of applicable fees as set forth in IC 13-18-20.

2.0 EFFLUENT LIMITATIONS

All permittees must control discharges as necessary to meet numeric and narrative water quality criteria for any discharges authorized by this permit, with compliance required upon beginning such a discharge.

2.1 Discharge Limitations

Table 1

	Quantity or Loading			Quality or Concentration			Monitoring Requirements	
Parameter	Monthly average	Daily maximum	Units	Monthly average	Daily maximum	Units	Measurement frequency	Sample type
Flow[1]	Report	Report	MGD				Daily	24 Hr Total
Total Flow	Report		Mgal				1 x monthly	Recorded total
Total Residual Chlorine (TRC) [7] [8]					0.02	mg/l	Daily[3]	Grab
Oil & Grease				10	15	mg/l	2 x Monthly	Grab [2]
Total Suspended Solids (TSS)				30	45	mg/l	2 x Monthly	4-portion Composite [4]
Total Volatile Organic Compounds (VOC) [6]				Report	Report	mg/l	see [3]	Grab
Total Cyanide				Report	Report	mg/l	see [3]	4-portion Composite [4]
Total Organic Carbon (TOC)				Report	Report	mg/l	see [3]	Grab
Ammonia as(N)				Report	Report	mg/l	see [3]	4-portion Composite [4]
Benzene				Report	Report	mg/l	see [3]	Grab
Lead				Report	Report	mg/l	see [3]	4-portion Composite [4]

Table 2

	Quality or Concentration			Monitoring Requirements	
Parameter	Daily minimum	Daily maximum	Units	Measurement Frequency	Sample type
pH	6.0	9.0	s.u.	Daily	Grab

[1] Measurement of flow is required. The flow volume may be estimated.

[2] For Oil & grease, a minimum of four (4) grab samples shall be collected at equally spaced time intervals during a forty-five (45) minute period. Each sample shall be analyzed individually, and the arithmetic mean of the measured concentrations shall be reported as the value for the twenty-four (24) hour period.

[3] On days when tank bottom water is discharged or tanks are hydrostatically tested, a person regulated under this general permit shall monitor for these parameters DAILY. This sampling must be performed when either or both of these discharges occur.

[4] A minimum of four (4) equal volume grab samples shall be taken at equally spaced intervals during the period in which tank bottom water is discharged, or during a forty-five (45) minute period if tank bottom water is not being discharged. The four (4) grab samples shall be composited prior to analysis.

[5] Tank bottom water shall not be discharged to any diked areas. Tank bottom water may be discharged directly through any outfall regulated under this general permit. However, the permittee is not authorized to discharge any accumulated solids or sludges from the tank bottoms.

[6] Total volatile organic compounds (VOCs) shall be characterized by an organic chemical scan. Wastewater samples shall be prepared and analyzed in accordance with U.S. EPA Analytical Method 624 (40 CFR 136, Appendix A), as referenced in 327 IAC 5-2-13(d)(1). During the quantitative analysis for total VOCs, the additional organic compounds that are not listed as priority pollutants in Method 624 shall be identified and quantified. This identification and quantification shall be made when these additional organic compounds are indicated to be present in the extracts by peaks on the reconstructed gas chromatograms (total ion plots) in magnitudes of more than ten (10) times higher than the peak-to-peak background noise. Identification shall be by reference to the EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order of magnitude estimate based upon comparison with an internal standard.

[7] The monitoring requirements and effluent limitations for Total Residual Chlorine (TRC) shall apply whenever chlorinated intake water is used to hydrostatically test tanks. For any months in which chlorinated intake water is not used for hydrostatic testing the permittee is not required to monitor for Total Residual Chlorine, and should report “n/a” on the Discharge Monitoring Report (DMR) for this parameter. The permittee is not authorized to add chlorine to treat the source water as part of this general permit.

[8] The daily maximum water quality based effluent limit (WQBEL) for chlorine is greater than or equal to the limit of detection (LOD) but less than the limit of quantitation (LOQ) as defined below which is specified in the permit. Compliance with the daily maximum limit will be demonstrated if the observed effluent concentrations are less than the LOQ.

Parameter	Test Method	LOD	LOQ
Chlorine	4500-Cl-D	0.02 mg/l	0.06 mg/l
Chlorine	4500-Cl-E	0.02 mg/l	0.06 mg/l
Chlorine	4500-Cl-G	0.02 mg/l	0.06 mg/l

Case-Specific LOD/LOQ

The permittee may determine a case-specific LOD or LOQ using the analytical method specified above, or any other test method which is approved by IDEM prior to use. The LOD shall be derived by the procedure specified for method detection limits contained in 40 CFR Part 136, and the LOQ shall be equal to 3.18 times the LOD. Other methods may be used if first approved by IDEM.

2.2 Narrative Water Quality Standards

a) The discharge shall not contain substances, materials, floating debris, oil, scum, or other pollutants that will settle to form putrescent or otherwise objectionable deposits;

b) The discharge shall not contain substances that are in amounts sufficient to be unsightly or deleterious.

c) The discharge shall not contain oil or other substances that produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance;

d) The discharge shall not contain substances which are in amounts sufficient to be acutely toxic to, or to otherwise severely injure or kill aquatic life, other animals, plants, or humans;

e) The discharge shall not contain substances which are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

3.0 MONITORING REQUIREMENTS AND PROCEDURES

3.1 What to Sample

Samples shall be taken in accordance with the sample type specified in Section 2.1 of this general permit. The Commissioner may require the permittee to sample for additional parameters. When this becomes the case, the permittee shall be notified in writing and given the reasons for the additional sampling requirement.

3.2 Measurement Frequency

Measurement frequency of each parameter is identified in Section 2.1 above. The Commissioner may require the permittee to conduct more frequent measurement of one or more of these parameters. When this becomes the case, the permittee shall be notified in writing and given the reasons for the more frequent sampling requirement.

3.3 Representative Sampling

Samples and measurements taken in compliance with the monitoring requirements specified above shall be representative of the volume and nature of discharges of petroleum products terminals wastewater. The samples and measurements shall be taken prior to mixing with any other waters and prior to discharging to the receiving stream.

3.4 Additional monitoring by permittee

When the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in section 3.5 below, the results of this monitoring shall be included in the calculation and reporting of the values required in the monthly Discharge Monitoring Report (DMR). Such increased frequency shall also be indicated. Other monitoring data not specifically required in this permit (such as internal process or internal waste stream data) which is collected by or for the permittee need not be submitted unless requested by the Commissioner.

3.5 Testing Procedures

The analytical and sampling methods used shall conform to the current version of 40 CFR 136. Multiple editions of Standard Methods for the Examination of Water and Wastewater are currently approved for most methods however, 40 CFR Part 136 should be checked to ascertain that a particular method is approved for a particular analyte. The approved methods may be included in the texts listed below. However, different but equivalent methods are allowable when they receive the prior written approval of the Commissioner.

a) Standard Methods for the Examination of Water and Wastewater, 18th, 19th, or 20th Editions, 1992, 1995, or 1998, American Public Health Association, Washington, D.C. 20005.

b) A.S.T.M. Standards, Parts 23, Water; Atmosphere Analysis, 1972 American Society for Testing and Materials, Philadelphia, PA 19103.

c) Methods for Chemical Analysis of Water and Wastes, June 1974, Revised, March 1983, Environmental Protection Agency, Water Quality Office, Analytical Quality Control Laboratory, 1014 Broadway, Cincinnati, OH 45202.

3.6 Recording of Results

For each measurement or sample taken pursuant to the requirements of this general permit, the discharger shall record the following information:

a) the place (outfall number), date, and time of sampling;

b) the person(s) who performed the sampling or measurements;

c) the dates and times the analyses were performed;

d) the person(s) or laboratory who performed the analyses;

e) the analytical techniques or methods used; and

f) the results of all required analyses and measurements.

3.7 Reporting Monitoring Results

a) The permittee shall submit complete federal discharge monitoring reports (DMRs) and state monthly monitoring reports (MMRs) to the Commissioner containing results obtained during the previous monitoring period which shall be submitted no later than the 28th day of the month following each completed monitoring period. The first report shall be submitted by the 28th day of the month following the first completed monitoring period.

b) Forms that were not issued by IDEM must receive approval by IDEM before they may be used.

c) DMRs must be signed and certified by a responsible corporate officer, or a general partner or the sole proprietor, or a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

d) Permittees shall keep a duplicate copy of all completed and signed monitoring report forms submitted. These documents shall be retained either on-site at the permitted facility or in such a manner that the reports will be readily available for IDEM compliance staff review.

e) DMRs, MMRs, and any communication regarding compliance with the conditions of this general permit must be sent to:

Indiana Department of Environmental Management
Office of Water Quality- Mail Code 65-42 CDS
Compliance Data Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

f) The permittee may choose to or may be required to enroll in the NetDMR program for the electronic submittal of the federal Discharge Monitoring Reports and the state Monthly Monitoring Report forms in lieu of submitting

them via U.S. Mail. If electronic reporting does become a requirement and the permittee does not have the ability to submit reports electronically, the permittee may request an exemption from the requirement which shall include the justification of the inability to utilize an electronic filing system

The Regional Administrator of U.S. EPA may request the permittee to submit monitoring reports to the U.S. EPA when the U.S. EPA deems it necessary to assure compliance with the permit.

3.8 Reporting Effluent Data on the Federal Discharge Monitoring Reports

a) For parameters with monthly average water quality based effluent limitations (WQBELs) below the limit of quantitation (LOQ), daily effluent values that are less than the LOQ shall be assigned a value of zero (0).

b) For all other parameters for which the monthly average WQBEL is equal to or greater than the LOQ, calculations that require averaging of measurements of daily values (both concentration and mass) shall use an arithmetic mean. When a daily discharge value is below the LOQ, a value of zero (0) shall be used for that value in the calculation to determine the monthly average unless otherwise specified or approved by the Commissioner.

c) Effluent concentrations less than the limit of detection (LOD) shall be reported on the Discharge Monitoring Report (DMR) forms as < (less than) the value of the LOD. For example, when a substance is not detected at a concentration of 0.1 µg/l, report the value as <0.1 µg/l.

d) Effluent concentrations greater than or equal to the LOD and less than the LOQ that are reported on a DMR shall be reported as the actual value and annotated on the DMR to indicate that the value is not quantifiable.

3.9 Records Retention

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed and calibration and maintenance of instrumentation and recording from continuous monitoring instrumentation, shall be retained for a minimum of three (3) years. All records shall be kept at the permitted facility or in such a manner that the reports will be readily available for IDEM compliance staff review. The three year retention requirement shall be extended:

a. automatically during the course of any litigation regarding the discharge of pollutants by the permittee or regarding promulgated effluent guidelines applicable to the permittee; or

b. as requested by the Regional Administrator of U.S. EPA or the Commissioner.

3.10 Reopening Clause

This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved:

a) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

b) controls any pollutant not limited in the permit.

When this general permit is modified or revoked and reissued all persons regulated under it will be notified by IDEM. Those persons notified under this Section shall, within one hundred twenty (120) days of the receipt of notification:

1) submit a complete NOI containing the information required under the modified or reissued permit; or

2) apply for an individual NPDES permit.; or

3) submit a Notice of Termination (NOT) of discharge.

4.0 NOTICE OF INTENT (NOI) REQUIREMENTS

4.1 NOI Format

A person seeking coverage under this general permit shall submit the appropriate Notice of Intent (NOI) form for this specific general permit which will be provided by the Commissioner. The NOI form must be signed and certified (as required by 40 CFR 122.22) by a responsible corporate officer, or a general partner or the sole proprietor, or a principal municipal executive officer or ranking elected official, or his or her duly authorized representative. Such authorization must be submitted in writing and must explain the duties and responsibilities of the authorized representative.

The NOI shall be submitted to IDEM according to Section 4.3 of this general permit.

4.2 Deadlines for NOI Submittal

a) For a new facility, an NOI shall be submitted at least thirty (30) days before any discharge occurs.

b) For a facility that has existing, effective coverage under the former general permit (327 IAC 15-9), on the effective date of this general permit, the existing coverage shall automatically be extended provided that the permittee takes one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the permittee.
   1) The permittee submits a new NOI in accordance with Section 4.0 of this general permit to affirm it intends to comply with the requirements of this new general permit ;
   2) The permittee notifies IDEM in writing of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
   3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.

c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted not less than ninety (90) days before the permit expires. If, upon review of the conditions and requirements of the reissued permit, the applicant determines that coverage under said permit is not appropriate for the site, he/she may, within 90 days, withdraw the NOI and submit either an individual application or a Notice of Termination (see section 5.0 of this permit).

d) In the case of a transfer of ownership an NOI must be submitted not less than thirty (30) days before the transfer. Additional requirements for the transfer of general permit coverage are found in Section 6.2 of this general permit.

e) The Commissioner may, upon good cause shown in writing by the applicant, extend any of the submission deadline time periods required above.

4.3 Submitting the NOI and Processing Fee

The Notice of Intent and all supporting documents and fees shall be submitted according to the following:

Submit hard copies to this address:
Indiana Department of Environmental Management
Office of Water Quality, NPDES General Permits
100 N. Senate Ave., IGCN Room 1255
Indianapolis, IN 46204-2251

IDEM continues to develop means of electronic submittals for Notice of Intent and Notice of Termination forms. Upon availability and notification by the Commissioner of an electronic application process, a person may choose to or, may be required to, utilize this process to file the NOI, NOT and other submission

requirements. If the electronic application process does become a requirement and the person does not have the ability to submit NOIs or NOTs electronically, the permittee may request an exemption from the requirement which shall include the justification of the inability to utilize an electronic filing system.

4.4 NOI Content Requirements

The following information must be included in an NOI:

a) name of the operator of the site and operator's email and mailing addresses and telephone number;

b) name of the owner of the site and owner's email and mailing addresses and telephone number;

c) name, telephone number, and email and mailing addresses of a contact person who is knowledgeable about the site;

d) name of contact person for submission of monthly monitoring reports and contact's telephone number and email and mailing addresses for submission of monthly monitoring reports;

e) the location address of the site itself, and the latitudinal and longitudinal coordinates (to the nearest second) of the center of the site;

f) four digit SIC (Standard Industrial Classification) code that best describes the primary activity conducted at the site;

g) brief description of the activities conducted at the site that result in the discharge;

h) estimate of the volume of surface runoff and hydrostatic test water to be discharged, in million gallons per day (mgd);

i) estimate of the volume of source water, in millions of gallons per day, that will be withdrawn from surface water, well water, and public water supply sources for hydrostatic testing;

j) latitudinal and longitudinal coordinates of each outfall location that will be discharging wastewater, including outfall numbers;

k) location of each sampling point;

l) name of the surface waters receiving each discharge;

m) characterization of all pollutant parameters known or believed to be present in the proposed discharge of wastewater based on an actual data pilot study, estimates from other engineering studies, data from other similar sites, or best professional estimates;

n) facility location map which identifies, via names of at least two intersecting nearby streets and any permanent structures, the location of the site where the activity resulting in the discharge will be conducted; the location where the discharge will occur; and the waters receiving the discharge. The facility map must show boundaries which extend at least a one mile radius beyond the facility property. Multiple maps may be used if the location of the receiving stream is sufficiently distant from the site that too much detail is lost on the site map if only one is used;

o) flow schematic diagram(s) that shows how wastewater travels through the facility to the point(s) where it is discharged (outfall point);

p) a completed Potentially Affected Parties form (per IC 4-21.5, and mailing labels with the mail codes (Mail Code 65-42 PS) inserted on the first line of the label for each person listed;

q) The NOI letter must also contain proof of publication of the following statement in a newspaper of largest circulation in the area of the discharge: (*Supply facility name, address, address of the location of the discharging facility*) "is submitting a Notice of Intent to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under National Pollutant Discharge Elimination System (NPDES) general permit ING340000 to discharge non-process wastewater from a petroleum products terminal. Discharge will be to (*Supply the name(s) of the stream(s) or other water bodies receiving the discharge(s)*".

"Any person wishing further information about the discharge may contact (*supply facility contact person's name and telephone or email information*). The decision to issue coverage under this NPDES general permit for this discharge is appealable as per IC 13-15-6. Any person who wants to be informed of IDEM's decision regarding granting or denying coverage to this facility under this NPDES permit, and who wants to be informed of procedures to appeal the decision, may contact IDEM's offices at OWQWWPER@idem.IN.gov to be placed on a mailing list to receive notification of IDEM''s decision."

r) documentation of IDEM pre-approval for the use of any water treatment additives (WTAs) currently in use or planned to be used to be used with the wastewater discharged from the petroleum products terminal;

s) required permit application fee as per IC 13-18-20-12;

t) certification statement signed by the authorized signatory as set forth in 40 CFR 122.22.

5.0 REQUESTING TERMINATION OF COVERAGE

A permittee may request termination of coverage under this general permit when discharges of petroleum products terminals wastewater to surface waters of the State have ceased. In order to do so, the permittee shall complete and submit a Notice of Termination (NOT) according to Section 4.3 of this permit.

The permittee will continue to be responsible for submitting all reports required by this permit and for remitting annual permit maintenance fees billed according to Indiana Statute IC 13-18-20 until IDEM approves the NOT.

6.0 ADDITIONAL REQUIREMENTS

6.1 Standard Conditions for General Permits

The following standard permit conditions are incorporated by reference, as applicable to general permits.

Standard Conditions	Federal Regulatory Cite
a) Duty to comply	40 CFR 122.41(a)
b) Duty to reapply	40 CFR 122.41(b)
c) Need to halt or reduce activity not a defense	40 CFR 122.41(c)
d) Duty to mitigate	40 CFR 122.41(d)
e) Proper operation and maintenance	40 CFR 122.41(e)
f) Permit actions	40 CFR 122.41(f)
g) Property rights	40 CFR 122.41(g)
h) Duty to provide information	40 CFR 122.41(h)
i) Inspection and entry	40 CFR 122.41(i)
j) Monitoring and records	40 CFR 122.41(j)
k) Signatory requirements	40 CFR 122.41(k)
l) Reporting requirements	40 CFR 122.41(l)
m) Bypass reporting	40 CFR 122.41(m)
n) Upset reporting	40 CFR 122.41(n)
o) Additional reporting requirement for existing manufacturing, commercial, mining, and silvicultural dischargers	40 CFR 122.42(a)

6.2 Water Treatment Additives

In the event that a water treatment additive is deemed necessary for use with the wastewater that is to be discharged under this permit after coverage has been approved, the permittee may still apply for and receive approval to use the new additive. The approval must be obtained prior to its use.

6.3 Change of Ownership/Transfer

Coverage under this permit may be transferred in the event that the facility is sold or transferred to a new owner or operator when the following occurs:

a) the current permittee notifies IDEM at least thirty (30) days in advance of the proposed transfer date.

b) a written agreement containing a specific date of transfer of permit responsibility and coverage between the current permittee and the transferee (including acknowledgment that the existing permittee is liable for violations up to that date, and the transferee is liable for violations from that date on) is submitted to IDEM.

c) The transferee certifies in writing to IDEM the intent to operate the facility without making such material and substantial alterations or additions to the facility as would significantly change the nature or quantities of pollutants discharged.

d) In addition to the submittal of the written agreement for transfer the new owner or operator must also submit a new NOI in accordance with the provisions of Section 4.0 of this permit.

6.4 Planned Changes in Facility or Discharge

The permittee shall give notice to IDEM no later than thirty (30) days prior to the initiation of any physical alterations or additions to the permitted facility that will or may:

a) result in a discharge from a point previously not identified in the NOI;

b) result in the facility meeting one of the criteria for determining whether the facility is a new source as defined in 40 CFR 122.29(b);

c) change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the general permit, or to notification requirements under 40 CFR 122.42(a)(1); or

d) change the amount or frequency of the discharge.

Changes resulting in the addition (item a above) or deletion of a discharge point will necessitate the submission of a new NOI requesting this amendment, along with the appropriate fee in accordance with IC 13-18-20-12.

6.5 Other Information

When the permittee becomes aware of a failure to submit any relevant facts or the submission of incorrect information in a NOI or in any report, the permittee shall promptly submit such facts or corrected information to the Commissioner.

The permittee shall promptly provide to IDEM written notice of any changes to items listed on the NOI. These would include:

a) any changes in contacts or responsible party;

b) any changes to addresses- mailing address or email address- for any contact or responsible party;

c) any changes to telephone numbers for any contact person or responsible party; or

d) any changes involving the person or position with delegated signature authority for any forms or reports required by this general permit as set forth in Section 6.1(k) of this general permit.

6.5 Effect of Noncompliance

All discharges shall be consistent with the terms and conditions of this general permit. Any noncompliance constitutes a violation of applicable State and Federal laws, the Clean Water Act and IC 13 and is grounds for enforcement action, termination of coverage under the permit, requiring an individual permit, and/or denial of permit coverage renewal.

When IDEM or the U.S. EPA determines that the effluent limitations contained in Sections 2.1 or 2.2 of this general permit are not being met consistently, or that the discharge is causing or contributing to an excursion above any applicable water quality standard, the permittee may be notified by the Commissioner in writing that an individual permit application is necessary.

6.6 Reporting Spills and Noncompliance

The permittee must monitor for, identify, and report to IDEM any adverse incidents (including spills and leaks) which reach any surface water of the state. When the permittee observes or is otherwise made aware of any permit noncompliance or any adverse incident that may have resulted from a discharge from the permitted facility, the permittee must notify IDEM by telephone at **(888) 233-7745:**

a) immediately for bypasses, adverse incidents or noncompliance which pose a significant danger to human health or the environment, and

b) as soon as possible but within two (2) hours of discovery for any bypasses, adverse incidents, or noncompliance resulting in death or acute injury or illness to animals or humans (see "Spill Response and Reporting Requirements" in 327 IAC 2-6.1).

The permittee shall report any noncompliance and other information that is subject to the reporting requirements of 40 CFR 122.41(l)-(m) and 40 CFR 122.42(a) of this general permit within 24 hours of the person becoming aware of the permit noncompliance if it does not meet either of the conditions listed above. The permittee shall make the oral reports to IDEM by calling (317) 232-8670 during regular business hours or by calling (317) 233-7745 ((888) 233-7745 toll free in Indiana) during non-business hours. Written reports shall be submitted to IDEM within 5 days of the time the permittee becomes aware of the circumstances and may be submitted by U.S. Mail, by hand delivery, or via email. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce and eliminate the noncompliance and prevent its recurrence. This submission should be sent to:

Indiana Department of Environmental Management
Office of Water Quality- Mail Code 65-42 CDS
Compliance Data Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Any written reports which are sent to IDEM via email shall be sent to wwreports@idem.IN.gov. Any other permit noncompliance that is not subject to the reporting requirements of 40 CFR 122.41(l)-(m), 40 CFR 122.42(a), or 327 IAC 2-6.1 shall be reported at the time of submittal of the applicable Discharge Monitoring Report as referenced in Section 3.7 of this general permit.

6.7 Certified Operator

The permittee shall have any wastewater treatment facility, when applicable, under the responsible charge of an operator certified by the Commissioner in a classification corresponding to the classification of the wastewater treatment plant as required by IC 13-18-11-11 and 327 IAC 5-22.

6.8 Individual or Alternative General NPDES Permit

a) IDEM may require a person to obtain an individual NPDES permit or an alternative general permit in accordance with the provisions of 327 IAC 15-2-9 or 40 CFR 122.28(b)(3).

b) Any discharger authorized for coverage under this general permit may apply for coverage under an individual NPDES permit by submitting an individual NPDES application or modification to IDEM.

6.9 State and Local Laws

Coverage under this permit does not preempt any duty to obtain any other state, or local assent required by law for the discharge or for the construction or operation of the facility from which a discharge is made. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation or the Clean Water Act, as amended.

7.0 NON-NUMERIC TECHNOLOGY-BASED EFFLUENT LIMITS (BPT/BAT/BCT)

All storm water control measures, including BMPs, shall be designed and implemented to eliminate or reduce contact or exposure of pollutants to storm water or remove pollutants from storm water prior to discharge from the facility. Design and implement Best Management Practices (BMPs) for all applicable storm water control measures outlined below.

7.1 Eliminating and Reducing Exposure

Minimize the exposure of material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings.

7.2 Good Housekeeping

Exposed areas that may contribute pollutants to storm water shall be kept sufficiently clean to reduce or eliminate contaminated storm water runoff. Typical problem areas include, but are not limited to, vehicle and equipment storage areas, fueling areas, material storage areas, vehicle and equipment cleaning areas, vehicle and equipment maintenance areas trash containers, storage areas, loading docks and vehicle fueling and maintenance areas.

Fueling Areas. Minimize contamination of stormwater runoff from fueling areas.

Material Storage Areas. Maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents,” etc.).

Vehicle and Equipment Storage Areas. Minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance.

Vehicle and Equipment Cleaning Areas. Minimize contamination of stormwater runoff from all areas used for vehicle/equipment cleaning.

Vehicle and Equipment Maintenance Areas. Minimize contamination of stormwater runoff from all areas used for vehicle/equipment maintenance.

7.3 Maintenance

The permittee shall provide a schedule for inspection and maintenance of storm water management controls, like oil water separators, catch basins etc., as well as a schedule for equipment preventative maintenance to identify conditions that could cause breakdowns or failures that may result in leaks, spills, and other releases to storm water.

7.4 Spill Prevention and Response Requirements

The permittee shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. Appropriate material handling procedures, storage requirements, use of equipment such as diversion valves, and procedures for cleaning up spills should be identified. The following areas should be addressed:

Receiving, Unloading and Storage Areas and Raw Material Storage Areas - include measures to prevent spills & leaks; easy access for spill cleanup; quick and correct identification of materials; and training employees on cleanup and disposal techniques.

Storage of Equipment - include procedures for proper cleanup and/or covering of equipment before storing outdoors.

Cleaners and Rinse Water - Include measures to control spills, build-up and disbursement of residuals from on-site operations, and use of less toxic cleaners.

Lubricating Oils and Hydraulic Fluids – include procedures for using detecting and control devices to reduce, prevent, and contain leaks and overflows.

Chemical Storage Areas - include a program to inspect containers, and identify proper containment, disposal and spill controls to prevent storm water contamination.

Spill Notification - contact information for individuals and emergency and regulatory agencies that must be notified in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Indiana Spill Line at (888) 233-7745.

7.5 Erosion Prevention and Sediment Control

BMPs must be selected and implemented to limit erosion on areas of the permitted site that, due to topography, land disturbance (e.g. construction, grading, landscaping), activities, soils, cover, materials, or other factors are likely to experience erosion. Identify areas at the facility that implement structural, vegetative,

and/or stabilization BMPs to prevent or control on-site erosion and reduce sediment loads in storm water discharges.

7.6 Management of Runoff.

Describe all permanent storm water BMPs implemented at the facility to manage runoff, including, but not limited to, the permanent structural BMPs used to divert storm water runoff away from fueling, storage, and disposal areas, and BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in storm water discharges.

7.7 Eliminate Unauthorized Non-Storm Water Discharges

Identify and document that all unauthorized, non-storm water (dry weather) discharges directed to surface water or groundwater have been evaluated and all discharges not authorized by this permit or a separate NPDES permit have been eliminated. These discharges include any process water discharges not directed to a POTW sanitary sewer and any other discharges not described under this permit.

7.8 Employee Training Program.

The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training must cover both the specific control measures used to achieve the effluent limits in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit.

The permittee shall train personnel at least once a year and address the following activities, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

8.0 STORM WATER POLLUTION PREVENTION PLAN (SWP3)

8.1 SWP3 Plan Development, Submittal, and Implementation Requirements

The permittee shall develop a Storm Water Pollution Prevention Plan (SWP3) that is specific to the industrial activity and site characteristics occurring at the permitted location described in the NOI. The permittee shall fully implement and periodically review, and update as necessary, the provisions of their SWP3, as required under this part, as a condition of this general permit.

The permittee shall develop and implement a SWP3 within six (6) months of IDEM's authorization of the permittee's NOI. The permittee shall submit an SWP3 Completion Certification Form (available on IDEM's website) to IDEM upon

completion. The SWP3 is to be retained on site and made available to IDEM upon request.

8.2 SWP3 Purpose and Guidance

The purpose of the SWP3 is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of pollutants in storm water discharges associated with the industrial activities at the facility. The SWP3) shall include the type and objective of the BMP used, and a description of how the BMP is evaluated to determine proper function.

As guidance, in developing the SWP3 and selecting BMP's, the permittee may use the concepts and methods described in Environmental Protection Agency (EPA) documents:

EPA 833-B-09-002, entitled ***Developing Your Storm Water Pollution Prevention Plan - A Guide for Industrial Operators***, published in February, 2009.

EPA 833-F-06-031, entitle ***Industrial Stormwater Fact Sheet Series, Sector P: Petroleum Bulk Oil Stations and Terminals***, published December, 2006.

8.3 SWP3 Certification and Re-Certification Requirements

An individual knowledgeable in storm water management and control and familiar with the site characteristics of the facility shall develop the SWP3. Due to technical and site specific requirements in developing a SWP3, IDEM highly encourages and recommends that the SWP3 and any amendments be prepared by, or under the supervision of a licensed professional engineer. The SWP3 shall be reviewed by the permittee or their designee for compliance with accepted standards for storm water pollution prevention at least once every five (5) years, during the last year of the permit and when compliance inspections indicate inadequacies.

If IDEM determines the SWP3 to be inadequate, IDEM reserves the right to require the permittee to obtain the services of a qualified consultant to correct any deficiencies in the SWP3.

8.4 Specific SWP3 Requirements

The SWP3 must contain the following elements:

a) Storm Water Pollution Prevention Team

The SWP3 shall identify, by position title, the member or members of the facility organization as members of a Storm Water Pollution Prevention Team who are responsible for developing the SWP3 and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each storm water pollution

prevention team member. Each member of the storm water pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit and the SWP3.

b) Facility Description, General Location Map, and Site Map

(1) Facility Description:

The plan shall include a narrative description of the industrial activities conducted at the facility, the total size of the facility property in acres and a calculation of the facility acreage that has industrial activity and/or significant materials in contact with storm water.

(2) General Location Map:

Location of the facility in relation to surface waters (including the name of the surface water; if the name is not known, indicate that on the map), receiving industrial storm water discharges from the facility.

(3) Site Map:

The site map shall include the following:

1) The size of the property in acres.
2) Footprint of all buildings and structures.
3) Location of all impervious surfaces within the facility property boundaries.
4) Directions of storm water flow indicated by arrows.
5) Location of all structural control measures.
6) Locations of all receiving waters in the immediate vicinity of your facility, indicating if any of the waters are impaired and, if so, whether the waters have TMDLs established for them.
7) Locations of all storm water conveyances including ditches, pipes, and swales.
8) Locations of potential pollutant sources.
9) Locations where significant spills or leaks have occurred.
10) Location of all storm water and wastewater monitoring points.
11) Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 1, No. 2, etc), indicating if you are treating one or more outfalls as “substantially identical”, and an approximate outline of the areas draining to each outfall.
12) Municipal separate storm sewer systems, where your storm water discharges to them.

13) Location and description of any non-storm water discharges.

14) Locations of the following activities where such activities are exposed to precipitation:

- Fueling stations;
- Vehicle and equipment maintenance and/or cleaning areas;
- Loading/unloading areas;
- Locations used for the treatment, storage, or disposal of wastes;
- Liquid storage tanks;
- Processing and storage areas;
- Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
- Transfer areas for substances in bulk; and
- Machinery

15) Locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

c) Description of Potential Pollutant Sources

The plan shall include an assessment of the areas at your facility where industrial materials or activities are exposed to storm water and identify potential pollutant discharge concerns.

Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; fire-fighting exercises; and intermediate products, by-products, final products, and waste products.

Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product.

For each area identified, the description must include:

1) Activity in the Area. a list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas).

2) Pollutants. a list of the pollutant(s) or pollutant constituents (e.g. oil, sulfuric acid, and cleaning solvents) associated with each identified activity. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed

to storm water in the 3 years prior to the date you prepare or amend your SWP3.

3) Risk Analysis. Where the chemicals or materials have the potential to be exposed to storm water discharges, the descriptions for each identified area must include a risk identification analysis of chemicals or materials stored or used within the area. The analysis must include the following:

   a. Toxicity data of chemicals or materials used within the area, referencing appropriate material safety data sheet information locations.

   b. The frequency and typical quantity of listed chemicals or materials to be stored within the area.

   c. Potential ways in which storm water discharges may be exposed to listed chemicals and materials.

   d. The likelihood of the listed chemicals and materials to come into contact with storm water.

4) Spills and Leaks. Document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance, in the 3 years prior to the date you prepare or amend your SWP3.

   Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA Section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.

5) Non-Storm water Discharges. Document that the permitted facility has been evaluated for the presence of non-storm water discharges and that all unauthorized discharges have been eliminated. Documentation of the evaluation must include:

   - The date of any evaluation;
   - A description of the evaluation criteria used;
   - A list of the outfalls or onsite drainage points that were directly observed during the evaluation;

- The different types of non-storm water discharge(s) and source locations; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), if any were identified. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

6) Salt Storage. Document the location of any storage piles containing salt used for deicing or other commercial or industrial purposes.

7) Sampling Data. Summarize all storm water discharge sampling data collected at your facility during the previous permit term. Summarize the data by pollutant, and indicate whether the pollutant parameter exceeded any applicable effluent limit. Where pollutants exceeded the effluent values, identify why that pollutant existed in elevated concentrations, what are the potential sources of that pollutant at your facility, and what potential measures you could use to reduce that pollutant.

d) Description of Control Measures and Best Management Practices (BMPs) –

The SWP3 shall document all BMPs used to comply with each applicable storm water control measure listed in Sections 7.1 through 7.8 of this general permit. BMPs shall be designed and implemented to address the potential pollutants associated with the activities and materials indentified in Section 8.4(c) of this general permit.

e) Schedules and Procedures – The SWP3 shall document the following schedules and procedures pertaining to control measures, monitoring, and inspections.

1. Control Measures. The following schedules and procedures must be documented in the SWP3:

- Good Housekeeping – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers;
- Maintenance – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
- Spill Prevention and Response Procedures – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and

Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review; and

- Employee Training – A schedule for all necessary training.

2. Monitoring. Document in your SWP3 the schedules and procedures for conducting the analytical monitoring specified by this permit where applicable to your facility's effluent limitations monitoring (see Section 2.0 of this general permit).

   For each type of monitoring, the SWP3 must document:
   - Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
   - Parameters for sampling and the frequency of sampling for each parameter;
   - Schedules for monitoring at your facility; and
   - Procedures (e.g., responsible staff, logistics, laboratory to be used, etc.) for gathering storm event data.

3. Inspections.

   The permittee shall document in the SWP3 the schedules and procedures for performing, the following inspections:

   Routine facility inspections. Conduct routine facility inspections of all the following areas/activities: storage areas for vehicles/equipment awaiting maintenance, fueling areas, indoor and outdoor vehicle/equipment maintenance areas, material storage areas, vehicle/equipment cleaning areas and loading/unloading areas where activities are exposed to stormwater, and of all stormwater control measures. Routine facility inspections must be conducted at least quarterly (i.e., once each calendar quarter) although in many instances, more frequent inspection (e.g., monthly) may be appropriate for some types of equipment, processes, and control measures or areas of the facility with significant activities and materials exposed to stormwater. Perform these inspections during periods when the facility is in operation. These routine inspections must be performed by qualified personnel with at least one member of your stormwater pollution prevention team participating. At least once each calendar year, the routine facility inspection must be conducted during a period when a stormwater discharge is occurring. At a minimum, your documentation of each routine facility inspection must include:
   - The inspection date and time;
   - The name(s) and signature(s) of the inspector(s);
   - Weather information and a description of any discharges occurring at the time of the inspection;

- Any previously unidentified discharges of pollutants from the site;
- Any control measures needing maintenance or repairs;
- Any failed control measures that need replacement;
- Any incidents of noncompliance observed; and
  Any additional control measures needed to comply with the permit requirements.

Quarterly Visual Assessments. Once each quarter for the entire permit term, collect a storm water sample from each identified storm water outfall and conduct a visual assessment of each of these samples. These samples should be collected in such a manner that the samples are representative of the storm water discharge. You must visually inspect the sample for the following water quality characteristics: color; odor; clarity; floating solids; settled solids; suspended solids; foam; oil sheen; and other obvious indicators of storm water pollution.

At a minimum, the documentation of the visual assessment must include:
- Sample location(s)
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination,
- If applicable, why it was not possible to take samples within the first 30 minutes.

Annual Comprehensive Site Evaluation. A comprehensive site compliance evaluation shall be conducted at least once a year. Comprehensive site inspections must be conducted by qualified personnel with at least one member of the storm water pollution prevention team participating in the comprehensive site inspections.

Comprehensive site inspections must cover all areas of the facility identified in the SWP3 as potential pollutant sources (see Section 8.4.3) where industrial materials or activities are exposed to storm water, any areas where control measures are used, and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected. Inspectors must consider the results of the past year's visual and analytical monitoring when planning and conducting inspections. Inspectors must examine the following:
- Industrial materials, residue, or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks, and other containers;

- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and
- Control measures needing replacement, maintenance, or repair.

At a minimum, the documentation of the comprehensive site inspection must include:

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Findings from the examination of areas of your facility identified in Section 8.4 of this permit;
- All observations relating to the implementation of your control measures including:
  - previously unidentified discharges from the site,
  - previously unidentified pollutants in existing discharges,
  - evidence of, or the potential for, pollutants entering the drainage system;
  - evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring, and
  - additional control measures needed to address any conditions requiring corrective action identified during the inspection.
- Any required revisions to the SWP3 resulting from the inspection;
- Any incidents of noncompliance observed or a certification stating the facility is in compliance with this permit (if there is no noncompliance); and
- A statement, signed and certified.

f) SWP3 Certification and Modification – the SWP3 must be reviewed and signed by a qualified professional to be deemed sufficient. The SWP3 is a working document that will need to be reviewed and updated on a regular basis, typically as a result of site inspections and/or a review of your storm water sample results. The SWP3 shall include a statement indicating the date the SWP3 was completed and implemented and the date(s) of subsequent modifications to the SWP3.

National Pollutant Discharge Elimination System
GENERAL PERMIT FACT SHEET for
Petroleum Products Terminals
NPDES Permit No. ING340000
November 4, 2015

Indiana Department of Environmental Management
Office of Water Quality
100 North Senate Avenue, IGCN Room 1255
Indianapolis, Indiana 46204

(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

Existing Permit Information:	Permit Number: Existing facilities under 327 IAC 15-9 have general permit tracking numbers using the following format ING340xxx (to be retained). Expiration Date: Under 327 IAC 15-9, each permitted facility has a unique expiration date based upon five (5) years from when coverage commences. Under this general permit all permitted facilities will have the same expiration date.
Source Location:	State-wide
Receiving Stream:	All waters of the state of Indiana, except for Outstanding State Resource Waters and Outstanding Natural Resource Waters
Proposed Action:	New administrative NPDES general permit to replace existing NPDES general permit-by-rule (327 IAC 15-9)
Source Category	NPDES Minor – Industrial
Contact:	Name: Sheri Jordan and Catherine Hess Contact Information: sjordan@idem.in.gov or chess@idem.in.gov Telephone: (317) 232-8703 or (317) 232-8704

The Federal Water Pollution Control Act (also referred to as The Clean Water Act (CWA) (33 U.S.C. 1251 et seq.), which was enacted in 1972, provides that the discharge of pollutants to the waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The primary condition determining eligibility is ensuring that the discharge consists of only wastewater from a petroleum products terminal. Dischargers who meet the eligibility requirements may apply for coverage by this NPDES general permit, instead of seeking coverage under an individual NPDES permit. This general permit is proposed to be in effect for a five-year term.

Development of a Fact Sheet for NPDES permits is required by Title 40 of the Code of Federal Regulations, Section 124.8 and 124.56. This document fulfills the requirements established in those regulations by providing the information necessary to inform the public of actions proposed by the Indiana Department of Environmental Management (IDEM) as outlined in 40 CFR 122.28 and 327 IAC 5-3-8.

A. Description of General Permit Category:

The purpose of this general permit is to regulate the discharge of petroleum products terminals wastewater so that the public health, existing uses, and aquatic biota are protected. "Petroleum Products Terminals" is defined as:

a) "Petroleum Products Terminals" means an area where petroleum products are supplied by pipeline or barge; where petroleum products are stored in aboveground tanks; where petroleum products are transferred to trucks for transport to other locations.

b) "Wastewater discharge associated with Petroleum Products Terminals water means the discharge from any conveyance, used for collecting and conveying wastewater which is directly related to the storage area of the petroleum products terminal. This includes storm water run-off, tank bottom water, and water used for hydrostatically testing the storage tanks or on-site pipelines.

NPDES general permits are developed and issued to cover multiple facilities engaged in the same process category instead of an individual facility within the State of Indiana. IDEM first developed a general NPDES permit-by-rule (327 IAC 15-9) for discharges of Petroleum Products Terminals wastewater in 1994. As a result of statutory changes to Indiana law in 2011, IDEM is now changing its method of administering NPDES general permits by changing from a permit-by-rule format to an administrative format which utilizes a "master general permit" (EPA terminology) which will be renewed and reevaluated on a five-year interval. Persons who seek coverage under the master general permit will continue to be assigned permit tracking numbers beginning with "ING34" but coverage under the general permit will be limited to the permit term established in the master general permit once it is issued.

As such, the discharges generally require the same effluent limitations and monitoring requirements. As of December, 2014, there are approximately 40 facilities which are currently regulated under 327 IAC 15-9. Since the permit requirements for all these discharges are similar and because of the number of such dischargers, it is the opinion of IDEM that this category of sources is controlled more appropriately under a NPDES general permit rather than under individual permits. These discharges are similar in several ways, they:

1) are comprised solely of petroleum products terminals wastewater discharges;
2) the used storage tanks, as addressed in this general permit, have contained petroleum or petroleum-derived liquids.
3) may utilize chlorinated source water for the petroleum products terminals activities at the site.

B. Geographic area covered:

This general permit is intended to potentially cover any discharge of petroleum products terminals wastewater within the boundaries of the state of Indiana, except as denoted herein.

C. Receiving waters:

This general permit will authorize discharges to all waters of the State of Indiana, except for Outstanding State Resource Waters and Outstanding National Resource Waters. Dischargers to these receiving waters are required to obtain an individual NPDES permit to regulate their discharges.

D. Discharges Not Authorized by This General Permit

Discharges covered under this general permit will be from primarily industrial facilities with discharges solely comprised of petroleum products terminals wastewater. This general permit contains certain specific exclusions from coverage under the general permit which are denoted in Section 1.3 of the permit. In such instances the person will be required to apply for an individual NPDES permit. The following discharges are not authorized by this permit:

a) direct discharges consisting of more than storm water only into waters that are designated as an Outstanding National Resource Water (ONRW) defined at IC 13-11-2-149.5 or an Outstanding State Resource Water (OSRW) defined at IC 13-11-2-149.6 and listed at 327 IAC 2-1.3-3(d). A direct discharge to an ONRW or OSRW that consists only of storm water associated with construction activity, storm water associated with industrial activity, or storm water from a municipal separate storm sewer system may still be permitted under a general permit when the Commissioner determines the discharge will not significantly lower the water quality as defined under 327 IAC 2-1.3-2(50) of such a water downstream of that discharge;

b) discharges to a receiving stream when the discharge results in an increase in the ambient concentration of a pollutant which contributes to the impairment of the receiving stream for that pollutant as identified on the current 303(d) list of impaired waters;

c) discharges containing water treatment additives (WTAs) which have not received prior written approval from IDEM for the specific additive, use, and dosage at the particular facility for which the Notice of Intent (NOI) is submitted; and

d) storm water discharges associated with construction activity.

E. Application for Coverage

This general permit proposes to provide coverage for any facility with discharges composed entirely of petroleum products terminals wastewater which meet the criteria listed in Section A above and agree to be regulated under the terms of the general permit.

Each facility seeking coverage under this general permit must submit a Notice of Intent (NOI). Federal regulations found in 40 CFR 122.21(a) exclude persons covered by general permits from requirements to submit an application for an

individual permit. NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of permittees covered by the general permit, the identities, locations, mailing addresses, and nature of discharge.

F. Antidegradation Evaluation

327 IAC 2-1.3 outlines the state's Antidegradation Standards and Implementation Procedures. The Tier 1 antidegradation standard found in 327 IAC 2-1.3-3(a) applies to all surface waters of the state regardless of their existing water quality. Based on this standard, for all surface waters of the state, existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected. IDEM implements the Tier 1 antidegradation standard by requiring NPDES permits to contain effluent limits and best management practices for regulated pollutants that ensure the narrative and numeric water quality criteria applicable to the designated use are achieved in the water and any designated use of the downstream water is maintained and protected. Effluent limits for the following regulated pollutants are being included in this NPDES permit to satisfy the Tier 1 antidegradation standard: Oil & Grease and total suspended solids (TSS).

The Tier 2 antidegradation standard found in 327 IAC 2-1.3-3(b) applies to surface waters of the state where the existing quality for a parameter is better than the water quality criterion for that parameter established in 327 IAC 2-1-6 and 327 IAC 2-1.5. These surface waters are considered high quality for the parameter and this high quality shall be maintained and protected unless the commissioner finds that allowing a significant lowering of water quality is necessary and accommodates important social or economic development in the area in which the waters are located. IDEM implements the Tier 2 antidegradation standard for regulated pollutants with numeric water quality criteria quality adopted in or developed pursuant to 327 IAC 2-1 and 327 IAC 2-1.5 and utilizes the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6. Total residual chlorine is a Tier II pollutant.

According to 327 IAC 2-1.3-1(b), the antidegradation implementation procedures in 327 IAC 2-1.3-5 and 2-1.3-6 apply to a proposed new or increased loading of a regulated pollutant to surface waters of the state from a deliberate activity subject to the Clean Water Act, including a change in process or operation that will result in a significant lowering of water quality.

The following antidegradation determination is based on 327 IAC 2-1.3. The general permit for discharges of petroleum products terminals wastewater is based on the best professional judgment of the best available treatment in accordance with 327 IAC 5-5-2 and Indiana water quality standards. IDEM has determined that the proposed new or increased loading for total residual chlorine is exempt from the antidegradation demonstration requirements of 327 IAC 2-1.3-5 as provided for under 327 IAC 2-1.3-4(a) because the new discharge will result only in a short-term, temporary (not to exceed twelve (12) months) lowering of water quality.

Wastewater Characterization

The pollutants expected to be discharged to the receiving stream from a petroleum products terminal include Oil & Grease, TSS, Total VOC, Total Cyanide, TOC, Ammonia as (N), Benzene and Lead . The purpose of issuing the NPDES permit to facilities discharging petroleum products terminals wastewater is to ensure that the discharge to the receiving stream does not result in deleterious effects to aquatic life and is in compliance with 327 IAC 2-1-6 and 327 IAC 2-1.5-8, the minimum surface water quality standards. These parameters shall be limited and monitored for facilities regulated by this general permit to ensure the proper operation of these systems and the best management practices being employed to control the wastewater being discharged.

The general permit imposes effluent limits based on treatment technology and water quality standards. The effluent limits are not based upon federal effluent guidelines.

Eligibility

"Wastewater discharge associated with petroleum products terminals" means the discharge from any conveyance, but not limited to, storage tanks and on-site pipelines which have been used for the storage and or transfer of crude oil or liquid petroleum hydrocarbons.

Pursuant to 327 IAC 15-2-9(b)(1)(A), applicable requirements contained in this article must be adequate to ensure compliance with the water quality standards contained in 327 IAC 2-1 and 327 IAC 2-1.5. Existing petroleum products terminals may contain crude petroleum, petroleum refined products, or liquid petroleum products. Pollutants which have numeric water quality criteria are not expected to be present due to the source and nature of this discharge. If a substance is found to be present in the discharge which shows a reasonable potential to exceed water quality standards, then that facility will be required to obtain an individual NPDES permit.

The general permit regulates up to three potential wastewater sources from the petroleum products terminal: storm water runoff, hydrostatic testing water for the storage tanks or on-site pipelines, and tank bottom water. All of these are intermittent types of discharges and some occur on a very infrequent basis.

G. When to Apply

State NPDES rules require individual permit applications to be filed at least 180 days prior to the commencement of the activity. The current NPDES general permit-by-rule (327 IAC 15-9) allows an NOI to be filed at least fifteen (15) days prior to the commencement of the proposed activity. Under the terms and conditions of this general permit, the following time frames are proposed:

a) New Facility: For a new facility, an NOI shall be submitted at least thirty (30) days before any discharges of petroleum products terminals wastewater.

b) For a facility that has existing, effective coverage under the former general permit (327 IAC 15-9), on the effective date of this general permit, the existing coverage shall automatically be extended provided that the permittee takes one of the following actions within ninety (90) days following the date that the Commissioner makes the NOI form available to the permittee.
   1) The permittee submits a new NOI in accordance with Section 4.0 of this general permit to affirm it intends to comply with the requirements of this new general permit ;
   2) The permittee notifies IDEM in writing of its intent to terminate general permit coverage in accordance with Section 5.0 of this general permit; or
   3) The permittee submits an individual NPDES application or modification to IDEM for the existing discharge permitted by the former general permit. In such cases, the general permit coverage will remain in effect until the effective date of coverage under an individual NPDES permit.

c) For subsequent renewals of general permit coverage under this general permit, an NOI shall be submitted not less than ninety (90) days before the permit expires. If, upon review of the conditions and requirements of the reissued permit, the applicant determines that coverage under said permit is not appropriate for the site, he/she may, within 90 days, withdraw the NOI and submit either an application for an individual NPDES permit, or a Notice of Termination (see section 5.0 of this permit).

d) In the case of a transfer of ownership an NOI must be submitted not less than thirty (30) days before the transfer. Additional requirements for the transfer of general permit coverage are found in Section 6.2 of this general permit.

H. Permit Conditions:

1) Effluent Limits & Monitoring Requirements

Under State and Federal law and regulations 40 CFR 122.44 and 327 IAC 5, a discharge permit must establish effluent limitations equivalent to best available technology economically achievable (BAT). For some industry categories, such effluent limitations have already been established by the EPA.

Parameters regulated under the existing permit include flow, oil & grease, pH, TSS, Total Residual Chlorine, Total VOC, TOC, Ammonia as (N), Benzene, Total Cyanide and Lead. These are the baseline effluent limitations and monitoring requirements which are required of all discharges of petroleum products terminals wastewater. However certain parameters are only applicable to the discharge of tank bottom water.

a) Flow is a standard parameter to be monitored in all NPDES permits. As in the general permit-by-rule, the requirement to report both the monthly average and daily maximum flows for each month has been retained. This

parameter is required of all NPDES permits and is included in this permit in accordance with 327 IAC 5-2-13(a)(2).

b) **pH** is included in the general permit to ensure that the discharge will not violate Indiana water quality standards. The pH limits are 6.0 to 9.0 standard units.

c) **Oil and Grease** The daily maximum effluent limitation of 15 mg/l and monthly average of 10 mg/l are considered sufficient to ensure compliance with the narrative water quality criteria in 327 IAC 2-1-6(a) and 327 IAC 2-1.5-8(a) that prohibits a visible oil sheen on receiving waters. The monitoring frequency for this parameter is twice monthly. The effluent limitations and monitoring requirement for Oil & Grease is the same as that which exists in the current general permit-by-rule, 327 IAC 15-9.

d) **Total Suspended Solids (TSS)** TSS is limited to 30 mg/l as a monthly average and 45 mg/l as a daily maximum. This limitation is based on the Best Professional Judgment (BPJ) of the technology and corresponding effluent limitations equivalent to the Best Conventional Treatment (BCT) in accordance with 327 IAC 5-2-10(6) and 327 IAC 2-1-6(a). The monitoring frequency for this parameter is twice monthly. The effluent limitations and monitoring and monitoring requirements for TSS is the same as that which exists in the current general permit-by-rule, 327 IAC 15-9.

e) **Total Residual Chlorine (TRC)** is limited to a daily maximum of 0.02 mg/l. This limitation is based on Indiana water quality standards. This parameter is included in the event that a potable water supply is utilized as the source water for the hydrostatic test water. The purpose of adding total residual chlorine limits is to acknowledge the potential use of potable water and to ensure that water quality standards are met at the discharge whenever it is used as the source water. This general permit does not authorize the applicant to introduce chlorine for treatment of the source water or any wastewater discharges.

f) **Total VOC, TOC, Ammonia as (N), Benzene, Total Cyanide, and Lead.** These monitoring parameters are retained from the general permit by-rule because they are believed to be present in the discharges of tank bottom water. This permit proposes to continue to require the permittee to monitor only for these parameters on days when tank bottom water discharges, which is typically a rare occurrence.

g) **Total Flow.** An additional reporting requirement is being added to require the permittees to monitor and report the total flow value for the month in units of million gallons (mgal). This requirement has actually been a parameter listed on the Discharge Monitoring Report forms for all NPDES permittees for the past several years, and it is included to assist IDEM in properly assessing the annual permit operating fees set forth under IC 13-18-20.

2. Narrative Water Quality Based Limits

The narrative water quality standards contained in 327 IAC 2-1-6(a)(1) (A)-(E) and 327 IAC 2-1.5-8 have been included in this general permit to ensure that the narrative water quality criteria are met.

3. Monitoring and reporting requirements will be as follows:

Monitoring requirements for Flow, Oil & Grease, and TSS are set at 2 x Monthly. Grab samples of the Oil & grease and TSS shall be taken of the hydrostatic test water being discharged as it leaves the pipeline or tank being tested or after receiving treatment at the beginning and at the end of the discharge and two (2) times during the discharge at evenly spaced time intervals. All of the grab samples shall be combined into one (1) composite sample at the end of the test period for analysis. The pH shall be sampled once by grab sample.

Total flow volume for the month must be calculated once monthly. The permittee is required to complete and submit federal Discharge Monitoring Reports (DMRs) and state Monthly Monitoring Reports to IDEM containing the results obtained during the previous monitoring period by the 28th day of the month following the monitoring period.

The permittee may enroll in the NetDMR program for the electronic submittal of the federal Discharge Monitoring Reports and the state Monthly Monitoring Report forms in lieu of submitting them via U.S. Mail. When approved by IDEM, the permittee may use this process for submitting reports in lieu of submitting paper copies of the reports to IDEM.

I. Spill Response and Reporting Requirement

Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

It should be noted that the reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedances that are under the jurisdiction of an applicable permit when the substance in question is covered by the permit and death or acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this NPDES permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

J. Storm Water Pollution Prevention Plan (SWP3) and Best Management Practices (BMPs)

Since this general permit authorizes storm water discharges associated with industrial activity that are subject to regulation under 40 CFR 122.26, IDEM has

incorporated certain specific provisions from EPA's Multi-sector General Permit into this general permit with regard to these discharges. Sections 7.0 and 8.0 of this general permit include Best Management Practices and Storm Water Pollution Prevention Plan requirements that are appropriate for these types of facilities.

K. Fees

In accordance with IC 13-18-20-12, any application for a new permit, renewal of a permit, modification of a permit, or variance from a permit requirement must be accompanied by an application fee, which is currently $50.00 for this type of general permit. Once a person is approved for coverage under a general permit, they are also subject to annual operating fees. These annual fees are set by statute (IC 13-18-20).

L. Re-opening Clause

This general permit may be modified, or alternately, revoked and reissued, after public notice and opportunity for hearing to include any applicable effluent limitation or standard issued or approved under 301(b)(2)(C),(D) and (E), 304 (b)(2), and 307(a)(2) of the Clean Water Act, when the effluent limitation or standard so issued or approved:

a) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
b) controls any pollutant not limited in the permit.

M. Permit Term

This general permit is proposed to be in effect for a five-year term.

N. Forms, References, and Guidance Documents

The IDEM website will contain information about each of the NPDES general permits, including the issued permit(s), Notice of Intent forms, Notice of Termination Forms, and helpful reference documents to assist the regulated community and the general public. This web page is still in development as of the date of this fact sheet.

Petroleum Products Terminals General Permit Summary of Comments & IDEM Responses

The draft general permit was placed on public notice on December 15, 2014. Several modes of public notice were utilized. Notices were placed in the Indiana Register, in the Indianapolis Star and 6 other large circulation newspapers in the State of Indiana, on IDEM's web site at http://www.IN.gov/idem/6777.htm. The full text of the general permit and fact sheet are posted IDEM's web page for NPDES Permits on Notice at (http://www.IN.gov/idem/cleanwater/2480.htm and were sent to the existing permittees via email. During the official public notice comment period, which ended on February 6, 2015, IDEM received comments from the following persons:

Rob Barkholz, Enbridge (RB)
Scott Buckner, Regional EHSS Manager, CITGO Petroleum Corporation (SB)
Eric L. Foster, P.E., Senior Manager, Water Services, KERAMIDA Inc. (EF)
Norman Phillibert, Environmental Professional, Marathon Petroleum Company LP (NP)

COMMENT 1: *Page 4 of 29 under Section 1.2 Discharges Authorized/Covered by this permit states that "Permittees who are granted general permit coverage will remain covered under this permit until the earliest of the following:*
…..b) IDEM's receipt of the permittee's submittal of a Notice of Termination (see Section 5.);" However, Section 5.0 Requesting Termination of Coverage states that "The permittee will continue to be responsible for submitting all reports required by this permit and for remitting annual permit maintenance fees billed according to Indiana Statute IC 13-18-20 until IDEM approves the NOT." Section 5.0 appears to be inconsistent with Section 1.2 which indicates that coverage remains in effect until "IDEM's receipt of the permittee's submittal of a Notice of Termination." (RB)

> ***IDEM RESPONSE****: We have revised 1.2 b to make it clear that permittees are covered, and required to follow all conditions of the permit, until such time that they receive written confirmation from IDEM that their NOT has been approved.*

COMMENT 2: *Under 2.1 Discharge Limitations the Sample type sub-column under Monitoring Requirements in Table 1 references "Grab [2]" for Total Residual Chlorine. Note 2 does not make reference to TRC. It appears that the note should be revised, replacing the TSS reference with "TRC." (RB)*

> ***IDEM RESPONSE****: IDEM has corrected the typographical errors in Table 1 to completely remove the reference to Footnote 2 from the sample type for Total Residual Chlorine.*

COMMENT 3: *Under 2.1 Discharge Limitations, it would be helpful if the Sample type was specified for the following Parameters:*

Oil & Grease [i.e. Grab]
TSS [for improved clarity, consider using (4-Portion Composite)]
Total Cyanide [for improved clarity, consider using (4-Portion Composite)]
Ammonia as (N) [for improved clarity, consider using (4-Portion Composite]
Lead [for improved clarity, consider using (4-Portion Composite)]
IDEM may also consider providing clarification in the notes as to the preservation procedures for Total Cyanide and Ammonia (i.e. should each individual sample be preserved prior to compositing or should the final composited sample be preserved). (RB)

> ***IDEM RESPONSE****: These changes to the sampling requirements have been made as requested in Section 2.1 of the permit. Preservation procedures are included in the approved testing procedures. These testing procedures are specified in the permit under section 3.5.*

COMMENT 4: *For clarity, consider revising Note [3] as follows:*
"Conditional monitoring requirement applicable only on days when tank bottom water or hydrostatic test water is discharged. When applicable, a person shall conduct sampling for these parameters daily. Sampling must occur during the time of discharge of hydrostatic test water." (RB)

> ***IDEM RESPONSE****: This section has been revised to clarify this point.*

COMMENT 5: *For clarity and consistency with Table 1, consider modifying language for Note [3] to reflect that both Monitoring Requirements and Quality or Concentration limitations for Total Residual Chlorine shall only apply when chlorinated intake water is used to hydrostatically test tanks. (RB)*

> ***IDEM RESPONSE****: After reviewing your comments on the proposed administrative general permit for Hydrostatic Testing of Commercial Pipelines we are assuming that this comment is meant to be in regards to Note [7] and not Note]3]. Therefore we have revised Note [7] accordingly per your suggestion. .*

COMMENT 6: *Consider changing the word "may" to "shall" in 3.8 a) as follows:*
"For parameters with monthly average water quality based effluent limitations (WQBELs) below the limit of quantitation, daily effluent values that are less than the LOQ shall be assigned a value of zero (0)." (RB)

> ***IDEM RESPONSE****: We have revised section 3.8 per your suggestion.*

COMMENT 7: *Consider eliminating the requirement under (p) that requires the following information to be included in an NOI: "documentation of IDEM pre-approval for the use of any water treatment additives (WTAs) to be used with the hydrostatic test water." Obtaining pre-approval of all WTAs in association with an NOI is not practical as the dechlorinating agent that may be most appropriate depends upon characteristics of the municipal water being used for the test, which can vary by municipal source. Specific characteristics of the discharge water required to obtain WTA approval, such as temperature or discharge characteristics, cannot be ascertained without knowledge of when the testing is performed, or until the most economical treatment method is determined.*

Consider using a procedure and language similar to what is used in the State of Michigan's general permits : "This permit does not authorize the discharge of water additives without approval from the Department. Approval of water additives is authorized under separate correspondence. Water additives include any material that is added to water used at the facility or to a wastewater generated by the facility to condition or treat the water. In the event a permittee proposes to discharge water additives, including an increased discharge concentration of a previously approved water additive, the permittee shall submit a request to the Department for approval. See [Reference applicable section] for information on requesting water treatment additive use."

Consider methods and language similar to that in Part 1 Section A.3 of the attached link as a means of having permittees obtain approvals for WTAs.
http://www.michigan.gov/documents/deq/wrd-npdes-generalpermit-MIG670000_399823_7.pdf (RB)

> ***IDEM RESPONSE****: We have added text to Section 6 of the permit to clarify that the permittee may still apply for the use of additives that are deemed necessary by the permittee after he/she has received this approval of coverage under the general permit. The only prohibition IDEM will put on the permittee is that any additive must still receive IDEM approval prior to its use.*

COMMENT 8: *Consider creating an approval system for "select water treatment additives" similar to what is described in the State of Michigan link below. This would allow more expedient approval for commonly used chemical products that are added to condition and treat the water to make it suitable for discharge, and are considered to not adversely affect aquatic life, and can be regulated through a permit with a chemical specific water quality-based effluent limit (WQBEL), using a parameter that mitigates the WTA toxicity (i.e., pH limits that mitigate a pH adjusting WTA).*
http://www.michigan.gov/deq/0,4561,7-135-3313_3682_3713-317137--,00.html (RB)

***IDEM RESPONSE**: The process of approving water treatment additives is separate from the permitting process for General Permits. Therefore revising this process is outside of the scope of what we can do as a part of this permit.*

***COMMENT 9:** Analogous to IAC 327 Rule 6 "Storm Water Discharges Exposed to Industrial Activity," give consideration to expanding the breadth of the Draft NPDES General Permit for Petroleum Product Terminals to allow a new or existing point source discharge if composed entirely of stormwater and one or more of the following non-stormwater discharges:*

(A) Discharges from firefighting activities.

(B) Fire hydrant flushings.

(C) Potable water sources, including waterline flushings.

(D) Uncontaminated ground water or spring water.

(E) Foundation or footing drains where flows are not contaminated with process materials, such as solvents.

(F) Uncontaminated air conditioning or compressor condensate.

(G) Vehicle washwaters where uncontaminated water, without detergents or solvents, is utilized.

IDEM would need to appropriately modify notes to reflect sampling and monitoring requirements for discharges composed entirely of stormwater and the allowable non-stormwater discharges exposed to the Petroleum Product Terminals activities. (RB)

***IDEM RESPONSE**: These wastewater sources may be discharged through outfalls in included in permittees coverage under the new administrative general permit. Language has been added to the definition of Petroleum Products Terminals in Section 1.2 of the permit to incorporate this provision. However we reserve the right to require additional or revised sampling and testing parameters as needed.*

***Comment 10:** My NPDES General Permit No. ING340009 was renewed on January 15, 2015 and becomes effective on April 1, 2015. Will Citgo have to submit a new NOI when the new General Permit is issued to retain coverage? (SB)*

***IDEM RESPONSE**: All permittees will have to submit new NOIs when the new Administrative General Permit is issued, since they will have to sign it to certify their acceptance of all conditions of the permit, including any new parameters.*

Also information not contained in the current NOI forms will be required on the new NOI forms, and permittees will need to provide this new information.

Comment 11: *Will the conditions of my current General Permit No. ING340009 change from the requirements listed in 327 IAC 15 Rule 9 to the requirements listed in the new General Permit once the new General Permit is issued? (SB)*

> ***IDEM RESPONSE****: Yes.* The issued general permit shall become effective on November 8, 2015. Entities which are currently covered by 327 IAC 15-9 shall continue to be authorized to discharge under those terms and conditions as set forth in IC 13-18-3-15. IDEM has developed a phased rollout plan to facilitate the transition process for all of the existing general permit holders. We will be contacting each permitted facility/entity individually with further instructions.

Comment 12: *(Discharges Covered): In the prior permit it was inferred that stormwater coming into contact with locations where petroleum products are transferred between storage tanks and tanker trucks (i.e. loading racks) were covered under the general permit – is this still the case? (SB)*

> ***IDEM RESPONSE****: Yes.*

Comment 13: *The general permit will regulate the discharge of wastewater defined as: "Wastewater discharge associated with Petroleum Products Terminals water means the discharge from any conveyance, used for collecting and conveying wastewater which is directly related to the storage area of the petroleum products terminal. This includes storm water run-off, tank bottom water, and water used for hydrostatically testing the storage tanks or on-site pipelines." Based on this definition, would the discharge of wastewaters generated by the washing down of loading rack areas require the facility to obtain an individual NPDES permit? Would discharge of wash-down wastewater be allowed under the general permit, if no detergents are used? (EF)*

> ***IDEM RESPONSE****: As long as no detergents are used, this washdown wastewater would be covered if it is discharged through one of the outfalls approved under your Administrative General permit coverage.*

Comment 14: *For facilities where storm water run-off and water used for hydrostatically testing can co-mingle in onsite retention ponds, will IDEM require that the hydrostatic test water be sampled independently as it leaves the tank or pipe? The designated outfall for such facilities as identified in the NOI is typically the discharge from the retention pond. Would the sample results for samples taken at the point that hydrostatic test water leaves the tank or pipe be reported on the DMR for Outfall 001? (EF)*

***IDEM RESPONSE**: There is not one answer to this question. IDEM requires sampling to be done at locations that ensure that the sample is representative of the discharge. The location that samples should be taken therefore will depend on the specific situation at each site. This is why we are requiring flow diagrams and site maps for each NOI. We will consider what else is in the retention pond, and what else is discharging to the retention pond, at each location to determine where samples should be taken, and which discharge limits need to be applied.*

***Comment 15:** Under Monitoring Requirements, the draft permit states that "Grab samples of the Oil & grease and TSS shall be taken of the hydrostatic test water being discharged as it leaves the pipeline or tank being tested or after receiving treatment at the beginning and at the end of the discharge and two (2) times during the discharge at evenly spaced time intervals. All of the grab samples shall be combined into one (1) composite sample at the end of the test period for analysis." Does IDEM intend to say that the oil & grease samples are to be composited before analysis? In the past, each of the individual grabs were analyzed and the results averaged. (EF)*

IDEM RESPONSE: The fact sheet language at the time of public notice was in error. The sampling protocol for oil and grease is as stated in the permit, which says "For Oil & grease, a minimum of four (4) grab samples shall be collected at equally spaced time intervals during a forty-five (45) minute period. Each sample shall be analyzed individually, and the arithmetic mean of the measured concentrations shall be reported as the value for the twenty-four (24) hour period."

***Comment 16:** Request that Section 1.2 include allowed non-storm water discharges as described in 327-IAC 15-6-2. The NPDES permit regulates the wastewater discharged by a petroleum products terminal. Section 1.2 captures the major wastewater streams. Other streams that are not a significant contributor of pollutants to a surface water of the state and are naturally mixed with the storm water due to the terminal storm water drainage system are: fire hydrant flushings; potable water sources, including waterline flushings; irrigation drainage; landscape watering; routine external building washdowns; pavement washdowns where spills or leaks of hazardous materials have been removed; uncontaminated ground water or spring water; foundations or footing drains where flows are not contaminated with process materials; uncontaminated air conditioning or compressor condensate; vehicle washwaters where uncontaminated water is utilized; and run-off from the use of dust suppressants. The list of other streams that are not a significant contribution of pollutants to the water of the state was taken from 327 IAC 15-6-2 "Applicability of the general permit rule for storm water discharges exposed to industrial activity." (NP)*

***IDEM RESPONSE**: These waters will be covered as long as they are discharged through one of the outfalls approved under your Administrative General permit coverage.*

Comment 17: *Request that IDEM consider inclusion of water discharges from fire-fighting exercises in the NPDES permit. The local fire departments provide emergency response services to petroleum products terminals. To improve the fire departments' response capability the fire departments will request to conduct a fire exercise using hydrant water and fire equipment to fight a storage tank fire. The fire exercise wastewater would be managed per the general NPDES permit. (NP)*

> ***IDEM RESPONSE:*** *See the response to comment #9. Firefighting exercises fall within the broader category of firefighting activities.*

Comment 18: *Request to revise the total residual chlorine daily maximum limit to 0.06 mg/1. The NPDES permit Table 1 includes a quality of concentration limit for total residual chlorine of a daily maximum of 0.02 mg/1. In foot note [8], it is recognized that the daily maximum water quality based effluent limit for chlorine is less (i.e. more stringent) than the limit of quantification of 0.06 mg/1 for the field analytical methods. It is recommended that the quality of concentration limit for total residual chlorine of a*

Daily maximum be equal to the limit of quantification. The revised total residual chlorine of a daily maximum of 0.06 mg/1 would avoid any confusion on whether the measured water quality of the discharge wastewater is compliant with the NPDES permit limit. (NP)

> ***IDEM RESPONSE****: 327 IAC 5-2-11 specifies that the NPDES permit must include the actual water quality-based effluent limitation, even when that value is less than detectable or quantifiable numbers. 327 IAC 5-2-11.1(f)(1)(A) states that "the permit shall include conditions that state that effluent concentration less than the limit of quantitation are in compliance with the effluent limitations."*

Comment 19: *Request that the NPDES permit does not require that operators be wastewater certified for a petroleum products terminal that does not treat the wastewater. Petroleum products terminals normally do not treat the facility wastewater. Following a visual inspection of the wastewater to ensure that the wastewater is contaminant free, the wastewater is allowed to flow to a collection/holding pond. Prior to the release from the pond the collected water is visually inspected to ensure the water is contaminant free. (NP)*

> ***IDEM RESPONSE****: IDEM is not requiring a certified operator for sites that do not meet the requirements for one. We are only reiterating that if your site meets the requirements (i.e. has a wastewater treatment system) you must retain a certified operator.*

Comment 20: *Regarding Section 8.0 Storm Water Pollution Prevention Plan (SWP3) Request that a petroleum products terminal may have a Spill Prevention Control and*

Countermeasures Plan in lieu of a Storm Water Pollution Prevention Plan.

Petroleum products terminals have a Spill Prevention Control and Countermeasures plan as required by the Clean Water Act. The SPCC regulations are in 40 CFR 112. The SPCC requirements overlap the SWP3 requirements with a more comprehensive emphasis on the condition and maintenance of the primary and secondary containment, wastewater drainage control, employee training, operating equipment condition and procedures, and emergency response.
An SPCC Plan is comprehensive and includes details on the following: Professional Engineer's certification and certification history

SPCC Plan amendment procedures
Management approval and review
Discussion of the facility's conformance with Part 112 Physical layout and facility diagrams
Type of oil and container capacities
Discharge prevention measures & Routine Handling Drainage controls and secondary containment Emergency response and discharge countermeasures Disposal methods
Contact list and phone numbers
Spill notification form
Prediction of potential discharge from equipment failure
Dikes, berms or retaining walls sufficient to contain spilled oil, "Site and Flow Diagram"
Personnel training
Designated person who is accountable for discharge prevention Schedule and conduct discharge prevention briefings
Security
Facility tank car and tank truck loading/unloading rack Brittle fracture evaluation
Discussion of conformance with state rules
Oil Filled Operational Equipment
Facility Drainage- "Site and Flow Diagram"
Bulk Storage Containers- Material & Containment Bypass Valves
Bulk Storage Tanks- Buried or partially buried metallic tanks. Bulk Storage Tanks- Test & Inspect
Bulk Storage Tanks- Internal Heating Coils
Bulk Storage Tanks- High level alarms, signals, devices Bulk Storage Tanks- Observe
Effluent Treatment Facilities Prompt removal of discharges
Mobile or Portable Oil Storage Containers Facility Transfer Operations,
Pumping and Facility Process- Buried Piping Protection
Facility Transfer Operations, Pumping and Facility Process- Out of Service Piping Controls
Facility Transfer Operations, Pumping and Facility Process- Pipe Supports Facility Transfer Operations,
Pumping and Facility Process- Inspection of Above Ground Valves Piping, Etc. Facility Transfer Operations,
Pumping and Facility Process- Warn All Vehicles Entering Facility (NP)

***IDEM RESPONSE**: An SPCC plan deals with preventing catastrophic spillage of petroleum products from above or below ground holding tanks. An SWPPP deals with the prevention of on-site pollutants generated from industrial activities from getting into the sewer system or discharged from an outfall. Therefore since the two plans cover different things, both will need to be developed.*

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER QUALITY
PUBLIC NOTICE OF ISSUANCE OF NPDES GENERAL PERMIT
PUBLIC NOTICE NO: 2015-11GP –F
ISSUANCE/NOTICE DATE: **November 5, 2015**

On November 5, 2015 the Indiana Department of Environmental Management (IDEM) issued the final NPDES General Permit for Petroleum Products Terminals in a new format. This administrative NPDES general permit will supersede and replace the requirements for these discharges which are currently regulated under Article 15, Rule 9 of Title 327 of the Indiana Administrative Code (327 IAC 15-9). These include the following types of discharges to surface waters of the state:

NPDES Permit Number ING340000 for Petroleum Products Terminals. The purpose of this permit is to establish requirements for discharges from these facilities of specific point sources which include: hydrostatic test waters from storage tanks and on-site pipelines which have been used for the storage and/or transfer or conveyance of crude oil or liquid petroleum hydrocarbons; discharges of storm water runoff specifically from the diked containment areas of these storage tanks; and discharges of tank bottom water from these storage tanks.

IDEM public noticed the draft general permit from December 15, 2014 and the comment period ended on February 6, 2015. Each general permit contains specific eligibility requirements. Ineligible discharges will require an individual NPDES permit or an alternate general permit (if available). Only facilities existing within the boundaries of Indiana may obtain NPDES general permit coverage.

APPEAL PROCEDURES FOR FINAL PERMITS

The final NPDES general permits and related documents are posted on IDEM's web site at http://www.in.gov/idem/cleanwater/2480.htm. The final NPDES general permits are available for review at the IDEM Central Office, Indiana Government Center North, Room 1255, 100 N. Senate Avenue, Indianapolis, Indiana from 9:00 a.m. to 4:00 p.m., M - F, excluding state holidays (copies 10¢ per page). Copies of the final permit documents are also available at the local health departments and at IDEM's Regional Offices. The documents are also available via email request. See these sites for information concerning your rights and responsibilities: http://www.IN.gov/idem/5474.htm and http://www.in.gov/idem/5903.htm. Please tell others whom you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication (OEA) within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law. The Petition for Administrative Review must be received by the OEA within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

1. state the name and address of the person making the request;

2. identify the interest of the person making the request;
3. identify any persons represented by the person making the request;
4. state specifically the reasons for the request;
5. state specifically the issues proposed for consideration at the hearing; and
6. identify the Final Permit terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing these NPDES Permit(s).

If the person filing the Petition for Administrative Review desires any part of any final NPDES General Permit to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to this address:

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis, IN 46204

Stay Time frame: If the Petition(s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at 317/232-8591.

Questions about the final general permit may be directed to any of the following IDEM staff: C. Anne Burget at (317) 234-8745, Sheri Jordan at (317) 232-8703, or Catherine Hess at (317) 232-8704. Please send any email inquiries to owqwwper@idem.in.gov.